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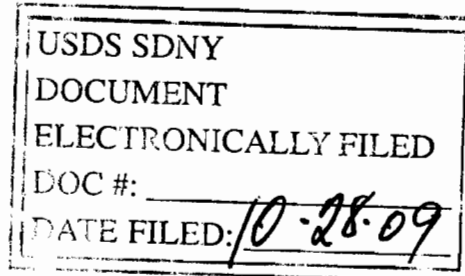
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October 28, 2009

**Via Facsimile: (212) 805-6382**

Hon. Victor Marrero  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 660  
New York, NY 10007



**Re: Transfield ER Cape Ltd. v. Crownland International CO. Ltd.**

Docket Number: 08 Civ.8602

Our File Number: 1619-08

Dear Judge Marrero,

Our firm represents the Plaintiff, Transfield ER Cape Ltd., in the above-referenced action. We write with respect to the Order to Show Cause dated October 21, issued by your Honor which directed Plaintiff to submit a response within seven days from the date of the Order. Specifically, we write to request that we be allowed a short extension of time (21 days) to respond to the Order to Show Cause. We are preparing a response to be submitted on behalf of Plaintiff, however, we are still waiting for Plaintiff, who is overseas, to finalize and execute the declaration to be submitted in support of its argument to maintain the security in New York. We attempted to contact Mr. Armand Pare, who submitted a letter on behalf of Defendant Crownland in this action, to request his consent, however, he was unavailable.

In light of the foregoing, and the gravity of the Order to Show Cause, we respectfully request that your Honor grant Plaintiff's request for an extension.

In addition, we would like to clarify the record as to the location of the security in this matter. In an earlier letter, the undersigned indicated that the funds remained in the hands of the garnishee banks. However, this is incorrect. Specifically, it has been revealed that while the undersigned was on maternity leave this summer, counsel for Defendant Crownland International Co. Ltd. and counsel for Pioneer Freight Futures Co. Ltd. (another creditor with a Rule B attachment against Crownland) entered into an agreement with us (as Transfield's counsel) to transfer the security into the court registry. Thus, it is our understanding that the funds originally attached in this matter were sent to the registry of the Court pursuant to an agreement between all three parties.

Kevin J. Lennon of our office, who was approached by counsel for Pioneer Freight Futures, can verify the terms of the agreement between the parties if necessary. In any event, pursuant to the agreement, a stipulation and Order providing for the release of funds to the court


registry was submitted to Judge Pauley in the action Pioneer Freight Futures Co. Ltd. v. Crownland International Co. Ltd. (09 Civ. 659). Please find attached hereto as Exhibit "1" a copy of the Stipulation and Order executed by counsel for Crownland and Pioneer (and consented to by Transfield ER Cape Ltd.) Judge Pauley duly executed the proposed Order and it was served on the garnishee bank holding Crownland's funds.

Should your Honor have any questions or comments we are available to discuss the same at the convenience of the Court.

Respectfully submitted,

  
Nancy R. Siegel

cc: Via Facsimile (212) 952-0345  
Armand M. Pare

In light of the circumstances described above regarding payment of the garnished funds into the Registry of the Court, no further response to the Court's Order to Show Cause shall be necessary.	
SO ORDERED:	
10-28-09	
DATE	VICTOR MARRERO, U.S.D.J.